

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA, *ex rel.* )  
JOYCE LYNCH, )

Plaintiffs, )

v. )

ARTHRITIS CENTER OF NEBRASKA, A )  
General Partnership organized under the )  
laws of the State of Nebraska, MELVIN )  
CHURCHILL, M.D., both individually and )  
as a general partner, RICK C. CHATWELL, )  
M.D., both individually and as a general )  
partner, ALAN J. JACOBS, M.D., both )  
individually and as a general partner, )  
ROBERT M. VALENTE, M.D., both )  
individually and as a general partner, and )  
ARTHUR L. WEAVER, M.D., both )  
individually and as a general partner, )

Defendants. )

4:05CV3203

MEMORANDUM AND ORDER ON  
RELATOR'S MOTION TO DISMISS,  
FILING 22

Responsive to the Order to Show Reasons dated August 8, 2007, counsel for the relator and counsel for the United States of America appeared on August 22, 2007, and showed reasons why I should consent to the dismissal of the action as requested in the Relator's Motion to Dismiss, document 22.

Explanations by the counsel for relator and the counsel for the United States have shown that information known to this date by them appears to be insufficient reasonably to expect relief from the defendants from the acts charged in the complaint, although future developments may reveal evidence more compelling in its nature on those or similar charges. Accordingly, I find it appropriate to consent to the dismissal of this action with prejudice as to the relator and without prejudice as to the United States of America.

The hearing on the Order to Show Reasons was held today in chambers and a full record made for the reason that the hearing did not include any defendant or defendant's representative. No appearance has been entered on behalf of any defendant in this case and no summons has

been served on any defendant.

Further, the counsel for the United States of America gave assurance that document 23 is submitted as the written consent of the Attorney General and the Attorney General's reasons for the consent.

IT IS ORDERED that the Motion to Dismiss, filing 22, is granted.

Dated August 21, 2007.

BY THE COURT

s/ Warren K. Urbom  
United States Senior District Judge